



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/647,666	08/25/2003	James M. Meier	F12.12-0133	2145
27367	7590	09/27/2006	EXAMINER	
WESTMAN CHAMPLIN & KELLY, P.A. SUITE 1400 900 SECOND AVENUE SOUTH MINNEAPOLIS, MN 55402-3319				EVANISKO, LESLIE J
			ART UNIT	PAPER NUMBER
			2854	

DATE MAILED: 09/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

RD

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

EXAMINER

ART UNIT PAPER

20060922

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

1. The reply filed on July 10, 2006 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

The amendment fails to present arguments pointing out the specific distinctions believed to render the claims, including any newly presented claims, patentable over the applied references. In particular, it is noted that applicant has canceled all previously pending claims and submitted new claims 272-315 in the amendment. Furthermore, it is noted that applicant states many of the new independent claims "contains features" of a previously presented claim which had been indicated by the Examiner as being allowable if rewritten in independent form. However, the Examiner notes that the newly presented claims are substantially different in scope from the claims the Examiner has previously indicated as containing allowable subject matter. Furthermore, applicant's remarks regarding these new claims lack any substantive arguments pointing out specific distinctions that render the claims patentable. For example, with respect to claim 272, applicant states at the bottom of page 21 that "Although new claim 272 does not include all of the elements of previously presented claim 85, Applicant believes that the particular combination of elements in claim 272 are allowable in view of the cited references." This argument, as well as the other claim arguments presented on 21-23 of the response, are essentially just mere allegations of patentability and do not provide any specific arguments regarding how the new claims are patentable over the applied references. Particular attention is invited to MPEP 714.02 and 37 CFR 1.111(b).

See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leslie J. Evanisko whose telephone number is (571) 272-2161. The examiner can normally be reached on T-F 8:00 am-6:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Leslie J. Evanisko
Leslie J. Evanisko
Primary Examiner
Art Unit: 2854